

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JANE ROE, *et al.*
individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

CASE NO. 1:12-cv-02288

INTELLICORP RECORDS, INC.
INSURANCE INFORMATION EXCHANGE, LLC,

Defendants.

**STIPULATED ORDER GOVERNING USE AND DISCLOSURE OF
SETTLEMENT CLASS MEMBER INFORMATION**

WHEREAS Plaintiffs and Defendants filed a proposed Stipulation of Settlement with the Court on October 18, 2013 (the “Settlement Agreement”); and

WHEREAS a Motion for Preliminary Approval was filed with the Court on November 12, 2013, which motion seeks an order that will, *inter alia* and for settlement purposes only:

- (i) certify a conditional settlement class under Federal Rule of Civil Procedure 23;
- (ii) preliminarily approve the Settlement Agreement; (iii) appoint McGladrey LLP as the Settlement Administrator; and (iv) appoint Plaintiffs’ counsel as Settlement Class Counsel;¹ and

WHEREAS the Court entered the Preliminary Approval Order on November 25, 2013; and

WHEREAS the Settlement Agreement requires the Settlement Administrator to cause notice to be provided to each Settlement Class Member within sixty (60) days following

¹ Capitalized terms not defined herein have the meanings ascribed to them in the Settlement Agreement.

preliminary approval; and

WHEREAS the Settlement Agreement requires the Settlement Administrator to carry out other functions that may require communication with the Settlement Class Members in order to effectuate the Settlement; and

WHEREAS, so that notice can be sent to Settlement Class Members and the Settlement effectuated, the Settlement Agreement requires that Defendants provide the Settlement Administrator with certain lists of names and identifying information for the Settlement Class Members; and

WHEREAS, because the lists of Settlement Class Members will contain personally identifiable information for the Settlement Class Members, Section 4.1.3 of the Settlement Agreement requires that, *inter alia*, the class lists shall be used solely for the purpose of effectuating the Settlement.

NOW, THEREFORE, it is hereby stipulated by and between Defendants and Plaintiffs, and so ordered:

1. Defendants shall provide the Settlement Administrator with the class lists and information described in Section 4.1 of the Settlement Agreement (the “Class Lists and Settlement Class Member Information”) within ten (10) business days after preliminary approval (which time may be extended by agreement of the parties or order of the Court).

2. The Settlement Administrator (and any person retained by the Settlement Administrator), Defendants’ Counsel, and Settlement Class Counsel shall treat as confidential the Class Lists and Settlement Class Member Information and all other identifying information concerning Settlement Class Members, provided by or on behalf of Defendants, and shall not

disclose such information to any person or entity who is not authorized by Court order to receive such information unless Defendants have provided prior written approval for such disclosure.

3. The Class Lists and Class Member Information shall not be used for any purpose other than for effectuating the Settlement as defined in the Settlement Agreement or for certifying that a person who has filed or has threatened to file subsequent litigation against any of the Defendants appears on the class list described in the Settlement Agreement.

4. For the purpose of certifying that a consumer who has filed or has threatened to file subsequent litigation against any of the Defendants appears on the class list described in the Settlement Agreement, the Settlement Administrator shall retain the Class Lists and Class Member Information for five years after the final payment notice is mailed.

5. Within fourteen days after the Settlement Website is deactivated, any party with whom the Settlement Administrator has shared the Class Lists and Class Member Information under this Order shall return that information to Defendants or certify to Defendants that they have destroyed it.

6. Pursuant to 15 U.S.C. §1681b(a)(1), the Settlement Administrator is authorized to utilize third party consumer reporting resources as necessary to locate current address information for Settlement Class Members for the purpose of effectuating the Notice and Settlement as defined in the Settlement Agreement.

IT IS SO ORDERED.

Dated: _____, 2013

UNITED STATES DISTRICT JUDGE

Dated: December 4, 2013

Respectfully submitted,

/s/ Matthew A. Dooley (per e-mail consent 12-04-13)

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